

REMARKS

Applicants appreciate the Examiner's courtesy in discussing this case with Applicants' undersigned representative by telephone on April 5, 2005. The Office action of March 21, 2005, was discussed during the informal exchange.

The Office action of March 21, 2005, states, "Claims 151, 169 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form..." Accordingly, Applicants amend independent claims 105 and 152 to include the limitations of claims 151 and 169, respectively, as well as intervening claims 120 and 161, respectively. Therefore, independent claims 151 and 169, as well as their dependent claims, overcome the rejections based on 35 U.S.C. § 103.

Applicants also address the informal objection to claim 151 regarding how an electromechanical shutter is part of a Markush grouping of materials. Applicants replace the phrase, "comprises a material selected from the group," with the phrase, "comprises at least one member selected from the group," in claim 105 (now containing the limitations of claim 151). Applicants make the same change in claim 152 (now containing the limitations of claim 169).

Independent claims 105 and 152 stand as rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. The Office Action states, "The specification, as originally filed, fails to disclose a pulse rate greater than 25 pulses per second." Without conceding this point, Applicants amend claims 105 and 152, to remove the phrase, "at a pulse rate greater than 25 pulses per second." This also renders moot the rejections of the dependent claims of 105 and 152 under 35 U.S.C. 112, first paragraph.

Applicants cancel dependent claims 120, 151, 157, 158, 161, and 169, without prejudice, thereby rendering moot any objections or rejections thereof. Applicants also amend claims 121, 123, 162, and 168 to change their dependencies from a canceled claim to a claim that now contains the limitation of the canceled claim.

No new matter is added by any of these amendments. Following entry of these amendments, claims 105-111, 113, 115-119, 121-126, 148, 150, 152-156, 159, 160, and 162-168 will be pending.

Conclusion

In view of the foregoing, Applicants request reconsideration, withdrawal of all objections and rejections, and allowance of claims 105-111, 113, 115-119, 121-126, 148, 150, 152-156, 159, 160, and 162-168 in due course.

Application No. 09/841,325
Response dated April 22, 2005
Reply to Office Action of March 21, 2005

If the Examiner believes that it would be helpful to discuss any aspect of the application by telephone, the undersigned representative cordially invites the Examiner to call at the telephone number given below.

Respectfully submitted,

Date: April 22, 2005
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